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UNITED NATIONS HIGH COMMISSIONER  
FOR HUMAN RIGHTS

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**Draft international convention on the protection of all persons  
from enforced disappearance**

Sub-Commission resolution 1998/25

The Sub-Commission on Prevention of Discrimination and Protection of Minorities,

Recalling General Assembly resolution 47/133 of 18 December 1992 by which the Assembly proclaimed the Declaration on the Protection of All Persons from Enforced Disappearance as a body of principles for all States and urged that all efforts be made so that the Declaration became generally known and implemented,

Recalling also General Assembly resolution 41/120 of 4 December 1986 in which the Assembly recognized the value of continuing efforts to identify specific areas where further international action was required to develop the existing legal framework in the field of human rights,

Recalling further Commission on Human Rights resolution 1997/26 in which the Commission, deeply concerned, in particular, by the intensification of enforced or involuntary disappearances in various regions of the world and by the growing number of reports concerning harassment, ill-treatment and intimidation of witnesses, of disappearances or relatives of persons who have disappeared, took note of the report of the Working Group on Enforced or Involuntary Disappearances (E/CN.4/1997/34), which at paragraph 31, welcomed the efforts of the Sub-Commission's sessional working group on the administration of justice to prepare a draft international convention on the prevention and punishment of enforced disappearances,

Considering that enforced disappearance undermines the deepest values of any society committed to respect for the rule of law, human rights and fundamental freedoms, and that the systematic practice of enforced disappearance is of the nature of a crime against humanity,

Recalling that at the forty-seventh session of the Sub-Commission the sessional working group on the administration of justice, had asked its Chairman-Rapporteur, Mr. Louis Joinet, to submit a preliminary draft "international convention on the prevention and punishment of enforced disappearances" which formed the basis for discussion at the working group at its 1996 and 1997 sessions,

Expressing its appreciation, to the Chairman-Rapporteur for having submitted, in time for the Sub-Commission's consideration at its fiftieth session, a text entitled "Draft international convention on the protection of all persons from enforced disappearance" (E/CN.4/Sub.2/1998/19, annex) which was revised by the working group at the current session,

1. Decides to transmit the draft international convention on the protection of all persons from enforced disappearance to the Commission on Human Rights for its consideration, together with the comments of the Sub-Commission thereon as well as those of the sessional working group on the administration of justice (E/CN.4/Sub.2/1998/19, paras. 9-64);

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2. Requests the Commission to invite Governments, intergovernmental organizations and non-governmental organizations to provide comments on the draft convention.

35th meeting

26 August 1998

[Adopted without a vote. See chap. XI.]

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